

SPACE LAW: A NEW ERA OF LAW AND HUMAN PROGRESS



INTERGALACTIC BAR ASSOCIATION

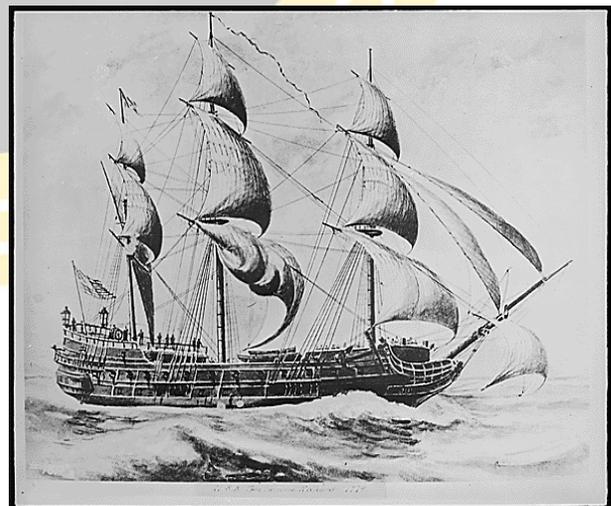


THE DAWN OF A NEW ERA

Space, as Gene Roddenberry famously put it, is the final frontier. It is a terrifying and alien environment, totally inhospitable to humans and fraught with dangers that are unmatched by anything on Earth. There is no breathable air, no drinkable water, and no sources of edible food. Temperatures can range from near absolute zero (-459.67° F) in the darkest areas of space to tens of thousands degrees Fahrenheit near the hottest stars. Yet despite the dangers of outer space, we are nonetheless driven to conquer it. Our innate urge to master any environment, despite our physical frailties, is part of human nature. And just as we mastered Earth's oceans in the Age of Sail, so too will we master the infinite void in

the coming Age of Space. It is our destiny.

In many ways, the Age of Space is merely history repeating itself. In 1609, [Hugo Grotius](#) published his famous legal dissertation, [Mare Liberum](#) ("Freedom of the Seas"). Among other things, the great Dutch jurist posited that one of the self-evident axioms of the "Law of Nations" was that nation-states must be free to traverse the high seas in order to trade with each other. Grotius also spoke of the importance of honoring treaties, evoking the old Latin phrase *pacta sunt servanda* ("treaties must be honored"). In hindsight, there can be little doubt that Grotius' vision was nothing



short of prophetic. Today, over 90% of the world's international trade is conducted by sea, and international trade is mostly governed by treaties such as the World Trade Organization Agreement (WTO), regional trade agreements such as the North American Free Trade Agreement (NAFTA), and various multilateral and bilateral trade agreements.

The coming Age of Space, which will be a period of exploration and commerce unlike any other in history, will undoubtedly dwarf the Age of Sail and anything that even Grotius could have foreseen. In the Age of Space, earthlings will cross star systems, not oceans. We will walk upon new planets, not new continents. Rather than conquering each other, hopefully, we will instead work together to overcome incredible dangers and perils that are literally not of this world. Our reach will extend into the stars and the darkness beyond them. Ironically, while space exploration will reveal just how small and insignificant we really are in the grand scheme of the

universe, it will also ultimately unlock our true potential for greatness.



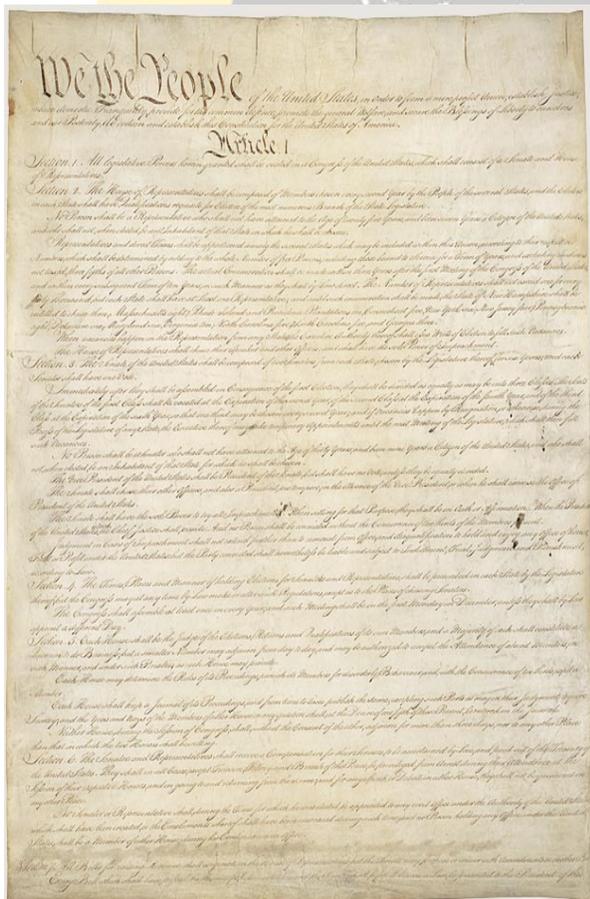
While mankind's destiny lies in a *physical* vacuum, it does not lie in a *legal* vacuum. Just as the Law of Nations grew side-by-side with sea exploration, a new body of law will emerge as mankind departs its terrestrial home and probes the far reaches of the void. New controversies and disputes will undoubtedly create a demand for laws that are enforceable outside of the earth's atmosphere. Of course, it almost axiomatic today that where there are laws, there are also lawyers. So it naturally follows that if there will

be laws in space, then there will also be lawyers in space.

The Intergalactic Bar Association's mission is to prepare lawyers, judges, legal scholars, and law students for an inevitable future where law will be practiced in outer space. Like Earth, there will still be crimes, contracts, torts, property interests, divorces, and adoptions in space. But space law will be distinguished from terrestrial law in many ways because the physical realities of

outer space will alter the way that well-established terrestrial legal principles work. There may not be any slip and fall cases in the absence of gravity, but it's not hard to imagine one party being injured and filing a lawsuit because another party left a sharp object floating around inside of a space station.

Simply put, "space cases" are inevitable. Forward-looking [legislatures are already passing space laws](#) in anticipation of them. That is why the Intergalactic Bar Association is preparing for mankind's imminent ascension into the aether. One of Intergalactic Bar Association's highest priorities is ensuring the competence of future space lawyers. We are diligently working to understand how space laws will work when they are applied to actual cases. We are also monitoring the legislative process in order to ensure that any new space legislation is both reasonable and just. When the first lawsuit is filed in a court with extraterrestrial jurisdiction, every lawyer involved in the case should



be an Intergalactic Bar Association member.

COMMERCIAL SPACE EXPLORATION

During the Cold War, the United States Government held a monopoly over all things space-related through the National Aeronautics and Space



Administration (NASA). NASA is still a [major player in the space industry](#). For example, NASA still sends missions to the International Space Station (ISS). However, the NASA monopoly over space travel is now broken due to the entrance of numerous

private actors into the space industry.

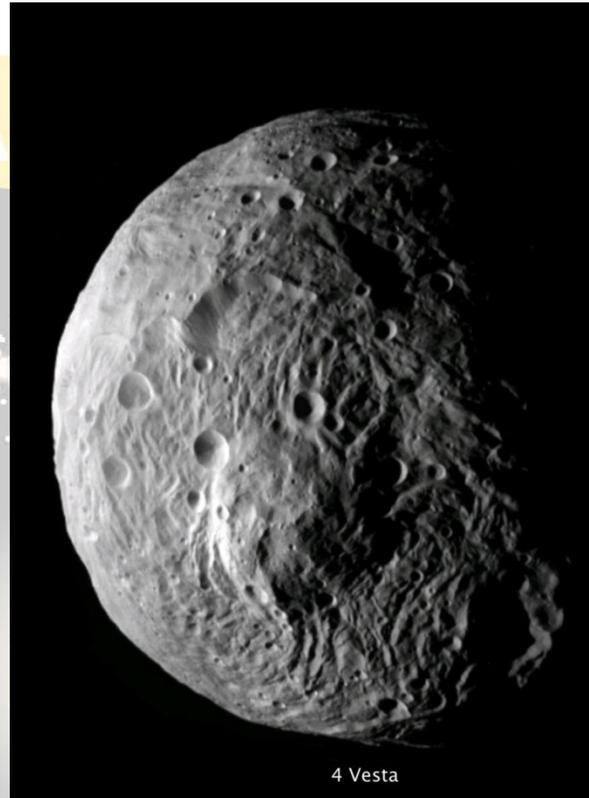
Perhaps the most famous of these out-of-this-world companies is Space Exploration Technologies, which is more commonly referred to as “SpaceX.” [SpaceX](#) was founded in 2002 by the renowned billionaire visionary and futurist, Elon Musk. Among other things, SpaceX has recently developed technology that makes it possible to reuse first-stage booster rockets, which will make future commercial space travel far less expensive. SpaceX is also collaborating with NASA on commercial cargo and crew projects, as well as the “Red Dragon” mission to Mars. It is worth noting that [SpaceX is already turning a profit](#).

[Virgin Galactic](#), another private entity that has thrown its hat into the race for space, is a subsidiary of Virgin Group, Ltd., a mega-conglomerate of companies based in the United Kingdom. Virgin Galactic will soon provide space travel services to terrestrial tourists. Initially, these services are likely to consist of short-term

flights out of and back into the atmosphere, which will allow private individuals to experience outer space first-hand. As space technology becomes more affordable, more reliable, and more powerful, Virgin Galactic will eventually be able to offer “space cruises” and interplanetary flights.

However, space travel is not just an end in itself. It can also serve a variety of important purposes, such as meeting future mineral resource needs. Companies like [Bechtel](#), [Planetary Resources](#) and [Deep Space Industries](#) are rapidly developing unmanned, robotic spacecraft that will be able to extract mineral resources from asteroids. The potential impact of this technology cannot be overstated. There is a seemingly limitless supply of mineral resources in space that are just waiting to be exploited once the technology to harvest them becomes available. The Asteroid Belt, which lies just beyond Earth’s red neighbor, Mars, may someday be the panacea to mineral scarcity.

Perhaps best of all, these robots will be solar powered, and their space mining activity will not cause any ground or water pollution.



With so many billions of dollars and thousands of hours of manpower being invested to research and develop space travel technology, it is only a matter of time before the use of this technology becomes universally available. There are many other noteworthy players in the field of private space exploration, including [Orbital ATK](#), [Blue](#)

[Origin, Bigelow Aerospace, and Sierra Nevada Corporation](#) just to name a few. As space travel technology improves and becomes less costly, more private firms will enter the field. The result of this increased competition will be lower prices for consumers and unprecedented economic growth.

PREPARING FOR THE FUTURE OF LAW

With the Age of Space rapidly and imminently approaching, it is absolutely vital that the legal field be prepared to move in lockstep with today's captains of industry, who are boldly advancing mankind's progress beyond Earth's gravitation pull. Interestingly, experienced legal practitioners may find themselves at a disadvantage in the field of space law compared to recent law school graduates who are just beginning to practice. For one, [law schools are becoming increasingly more interested in applicants with undergraduate degree majors in various scientific, technological,](#)

[engineering and mathematical fields.](#) This is a direct consequence of the fact that law school deans and professors are becoming attuned to the significance of the economic shift toward technology, including space technology. Seasoned lawyers who have not had the benefit of a scientific education may be hard pressed to keep up with their younger colleagues in the field of space law. In fact, [law schools are already offering space law courses to students.](#)



The University of Mississippi School of Law's National Center for Remote Sensing, Air, and Space Law offers a [Space Law Certificate](#) in for Juris Doctor Students, as well as an [LLM in Air and Space Law](#) for those who are especially interested in Space Law. This is hardly surprising when one considers that Ole Miss Law began publishing the first [Journal of Space Law](#) in 1973. In many

respects, Ole Miss is the vanguard of the space law movement in modern academia.

However, Ole Miss is not the only law school to recognize the potential of offering space law courses and programs. The University of Nebraska College of Law, for example, has a strong [space law program](#). Nebraska offers an [LLM Degree in Space, Cyber, and Telecom Law](#) and even a [JSD Degree in Space Law](#). Even students who attend the prestigious Yale Law School are taking an active [interest in space law](#). It won't be long before space law questions appear on bar exams.

Fortunately, veteran lawyers can level the playing field by joining the Intergalactic Bar Association. The Intergalactic Bar Association is developing new and exciting educational content on space law that will be available only to its membership. Additionally, the Intergalactic Bar Association is the perfect way to network with other attorneys who are interested in space law. The Age of Space is here, and the time

to join the Intergalactic Bar Association has come. To join us and begin enjoying the privileges of membership, please visit our website:

<http://www.intergalacticbar.org>.

Ad astra.